

secured as fees for tests and analysis of seed after first exhausting the moneys secured from the collection of the fees as herein provided for shall be paid to the Commissioner of Agriculture as he may show by his bills has been expended in performing the duties required by this Act.

Sec. 12. The words, "persons," "vendor" and "party" in interest and "whoever" as used in this Act shall be construed to impart both the plural and singular, as the case demands, and shall include corporations, companies, societies and individuals.

Sec. 13. This Act shall take effect ninety days after its approval by the Governor of the State.

TWENTY-FIRST DAY.

Senate Chamber,
Austin, Texas.

Friday, July 18, 1919.

The Senate met at 10:05 o'clock, a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

Absent—Excused.

Bledsoe. Dayton.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Bledsoe for today and for the remainder of the session on ac-

count of important business, on motion of Senator Dudley.

Senator Dayton was excused for today and for the remainder of the session on motion of Senator Carlock.

Petitions and Memorials.

There were none today.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Buchanan of Scurry:

S. B. No. 165, A bill to be entitled "An Act creating a County Court of Eastland County, Texas, at law, defining and establishing the jurisdiction of said court and defining the jurisdiction retained by the County Court of Eastland County; providing for the term and practice therein; for the election, qualification of the judge thereof and the term of same; providing for the bond, oath of said judge and for the appointment of the judge thereof. Providing for the issuance of writs and the return and service of same; providing for the appointment of jurisdiction commissioners; the selection of juries; the filling of the vacancies in the elections judges; the fees and salaries of the judge of the county court at law and of the county court of Eastland County, Texas, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Alderdice:

S. B. No. 166 A bill to be entitled "An Act to create a common county line school district, to be under the jurisdiction, management and control of the county school board of Dallas County, Texas, to be composed of the territory described in this Act and defining the rights, powers and privileges of such district, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Cousins:

S. B. No. 167, A bill to be entitled

"An Act to create and establish a court for the trial of criminal causes and offenses of a criminal nature arising within the City of Port Arthur, Texas, and to prescribe its organization, jurisdiction and procedure, to conform the jurisdiction and precedence of other courts thereto to repeal laws in conflict herewith, and to declare an emergency.

Read first time and referred to Committee on Judicial Districts.

By Senator Cousins:

S. B. No. 168, A bill to be entitled "An Act adding to Chapter 82, Local and Special Road Laws of the Thirty-second Legislature, 1911, the same being the special road law for Tyler County, Texas, a new section to be known as Section 15a; providing for the compensation of the members of the county commissioners court of Tyler County, Texas while actually engaged in the discharge of their duties in the construction of roads throughout said county; and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

My Senator Dayton:

S. C. R. No. 23, Senate Concurrent Resolution relating to the treatment of the State of Texas and its citizens by Mexico.

Read first time and referred to Committee on Federal Relations.

Senate Joint Resolution No. 3.

By Senators Dean, Williford, Suiter, and Rector:

Declaring that the Governor and the Attorney General of this State in addition to the authority conferred upon the respectively by the Constitution and statutes of the State, are directed to institute suit in the Supreme Court of the United States for the purpose of determining and settling the boundaries between the State of Oklahoma and the State of Texas and the preservation of the rights of the State and its citizens and those owning property under and by virtue of the Constitution and laws of the State; directing the said officers to institute suit or suits in any other courts, State or Federal as may be necessary for the preservation of

the rights of the State, of its citizens and those owning property under and by virtue of the laws of the State, and the exercise of the authority, directing that such suit or suits shall be instituted, when in the judgment of the Governor and the Attorney General, it is necessary and after an investigation as said officers may deem proper and against all governments, states tribes nations and their successors and all individuals, persons, partnerships and corporations, as may be necessary or proper parties and declaring an emergency.

July 18, 1919, read first time and referred to Committee on Federal Relations.

Simple Resolution No. 33.

Resolved, That the Journal Clerk of the Senate be instructed to collect the copies of the legislative manual of the Thirty-sixth Legislature and make correction of errors in connection with the list of members of the Senate.

McNEALUS.

The resolution was read and adopted.

Messages from the Governor.

Governor's Office,

Austin, Texas, July 16, 1919.

To the Thirty-sixth Legislature in Second Called Session.

At the request of Representative Hamilton, I submit for your consideration the following subject, to-wit: "An Act to amend Chapter 79, page 202 of the General Laws of the Regular Session of the Twenty-seventh Legislature of the State of Texas, approved on the 9th day of April, A. D. 1901, entitled 'An Act to create a more efficient road system for Brown County Texas,' etc."

Respectfully submitted,

W. P. HOBBY,
Governor.

Governor's Office,

Austin, Texas, July 18, 1919.

To the Thirty-sixth Legislature in Second Called Session.

At the request of Representative Brown, of Liberty, I submit for your consideration the following subject, to-wit:

"An Act to allow Tyler County to

pay their commissioners \$6.00 per day while they are expending the bonds for roads for which they have issued bonds."

Respectfully submitted,
W. P. HOBBY,
Governor.

Governor's Office,
Austin, Texas, July 18, 1919.
To the Thirty-sixth Legislature in
Second Called Session.

At the request of Senator Buchanan of Scurry, I submit for your consideration the following subject, to-wit:

"An Act creating a county court of Eastland County, Texas, at law, defining and establishing the jurisdiction of said court and defining the jurisdiction retained by the county court of Eastland County, etc."

Respectfully submitted,
W. P. HOBBY,
Governor.

Governor's Office,
Austin, Texas, July 18, 1919.
To the Thirty-sixth Legislature in
Second Called Session.

I beg to submit for your consideration the subject of passing an appropriate resolution directing the Governor and the Attorney General to institute suit or suits as they may deem appropriate and necessary in the Supreme Court of the United States and such other courts as may be proper and against all necessary parties for the purpose of establishing and maintaining the rights of the State of Texas citizens of Texas, and those holding under the State of Texas and establishing the boundaries between the State of Texas and the State of Oklahoma.

The greatest controversy involved in this subject will be the settlement of the boundary running between the State of Texas and the State of Oklahoma following the course of the Red River, while there may be controversy with respect to the true location of the boundary running North and South between the State of Oklahoma and the Panhandle of Texas.

I believe the controversy has reached the stage where some affirmative action on the part of the State of Texas is necessary. In support of this belief I quote you from the following from a communication addressed to me by Hon. C. M. Cureton, Attorney General of Texas:

"Following the action of the political authorities of the State of Texas extending over a period of time since Texas became a Republic to the present, the authorities of the State of Texas have exercised jurisdiction to the middle of Red River as the boundary line between the State of Texas and the territory which is now the State of Oklahoma; the Court of Criminal Appeals of this State and the Supreme Court itself have likewise held that the middle of the Red River is the true boundary. The same holding has been made by the Attorney General's Department heretofore, as well as by the Department of the Interior of the United States. The Land Department of the State has acted upon the same belief and at various times has issued permits to prospect for oil and gas to the middle of the Red River.

"There is already pending litigation between the State of Texas and certain parties who claim to exercise rights under the authority of the State of Oklahoma, or of the United States concerning lands between the south bank of Red River and the middle of that stream.

"Under the Constitution of the United States, this litigation will, of course, be ineffective to determine the true boundary or the final title to the property, but will be effective only to the extent of enabling the State to exercise jurisdiction over property to the middle of the stream until final action through a court having jurisdiction of the boundary between the States.

"We are reliably informed that the State of Oklahoma has recently caused, not only the lands in the bed of Red River south of the middle of the stream to be surveyed, but has surveyed many thousands of acres of land within the State of Texas including much land that was patented by the State many years ago; that this land has been surveyed and sold by the State of Oklahoma and large sums of money realized thereby.

"We are reliably informed that the United States District Attorney at Oklahoma City has brought an action in the United States District Court to restrain the officials of the State of Oklahoma from selling and disposing of the land in the bed of Red River including that south of

the middle of the stream, claiming that the land is the property of certain Indian tribes or Nations and not subject to the disposition of Oklahoma, thereby impliedly setting up claim to these lands on behalf of these Indian tribes as against the State of Texas.

This briefly gives the status of the lands in controversy, a portion of which are of immense value. In fact, we are informed that a producing oil well on one of the patented Texas surveys is embraced in the lands claimed by Oklahoma and alleged to have been sold by her. You will see by this recitation of the facts that the controversy has reached an acute stage where effective action is necessary on the part of the State of Texas in order to preserve its sovereignty, protect its citizens, and to protect those who hold or exercise rights by virtue of the laws and sovereign authority of the State."

I recommend the adoption of a resolution by your body clothing the Governor and the Attorney General of Texas with authority to act.

Respectfully submitted,
W. P. HOBBY,
Governor.

Senate Bill No. 143.

The Chair laid before the Senate on third reading:

S. B. No. 143, A bill to be entitled "An Act making it unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, export, receive, solicit take orders for, furnish or possess, spirituous, vinous or liquors or medicated bitters, capable of producing intoxication, or other intoxicant whatever, or any equipment for making any liquor except for medicinal, mechanical, scientific or sacramental purposes; declaring it unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, export, receive, deliver or take orders for, furnish or possess any spirituous, vinous or malt liquors, or medicated bitters, or any potable liquor mixture or preparation, containing in excess of one per cent of alcohol by volume or equipment for making such liquors except for medicinal mechanical, scientific or sacramental

purposes, etc., and declaring an emergency."

Senator McNealus offered the following:

Amend Senate Bill No. 143 by striking out the enacting clause, as printed in the Senate Journal on page 349.

The amendment was lost by the following vote:

Yeas—7.

Bailey.	Hall.
Caldwell.	McNealus.
Clark.	Parr.
Faust.	

Nays—19.

Alderdice.	Hopkins.
Buchanan of Bell.	Page.
Buchanan of Scurry	Rector.
Carlock.	Smith.
Cousins.	Sulter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Strickland.

Pairs Recorded.

Senator Hertzberg (present) who would vote aye; Senator Bledsoe (absent) who would vote no.

Senator Johnston (present) would vote aye; Senator Dayton (absent) who would vote no.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—19.

Alderdice.	Hopkins.
Buchanan of Bell.	Page.
Buchanan of Scurry	Rector.
Carlock.	Smith.
Cousins.	Sulter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Floyd.	Woods.
Gibson.	

Nays—7.

Bailey.	Hall.
Caldwell.	McNealus.
Clark.	Parr.
Faust.	

Absent.

Strickland.

Pairs Recorded.

Senator Hertzberg (present) who would vote no; Senator Bledsoe (absent) who would vote aye.

Senator Johnston (present) who would vote no; Senator Dayton (absent) who would vote aye.

Senate Bill No. 94.

The Chair laid before the Senate on second reading:

S. B. No. 94, A bill to be entitled "An Act authorizing and directing the Board of Regents of the University of Texas and the Board of Directors of the Agricultural and Mechanical College of Texas to expend any surplus funds heretofore appropriated to said institutions by the Legislature which cover unexpended or partially expended salaries not used up to the end of the present fiscal year, August 31, 1919, and declaring an emergency."

On motion of Senator Alderdice the bill was laid on the table subject to call.

Senate Bill No. 73.

The Chair laid before the Senate on second reading:

S. B. No. 73, A bill to be entitled "An Act to provide an adequate method of regulating the practice of civil engineering and surveying in the State; defining civil engineering and surveying; creating a Board of Engineering Examiners and prescribing its powers, duties and compensation; providing for a special fund to be derived from fees; providing for certificates of registration and for examinations and licensing civil engineers and surveyors; defining the qualifications of civil engineers and surveyors; prescribing the mode and manner of holding examinations, and the form of licenses; authorizing the issuance of licenses without examination under certain conditions; etc., and declaring an emergency."

Senator Dean offered the following amendment to the Committee amendment which was read and adopted:

(1) Amend the Committee amendment by striking out the words, "in the subdivision of lands".

The Committee report carrying

amendments as amended was then adopted.

The following amendment by Senator Dean was read and adopted:

(2) Amend the bill by changing the period to a comma at the end of section 31, and adding the following: "or to land surveying, mapping and platting done for private parties."

Senator Witt offered the following amendment which was read and adopted:

(3) Strike out section 18 and substitute the following:

Section 18. Examinations: Examinations for license to practice as civil engineers and surveyors shall be held at special or stated meetings of the Board at such times and places within the State of Texas as the Board shall determine. The scope of the examinations and methods of procedure shall be prescribed by the Board. The examinations may be either oral or written, or partly oral and partly written.

Before a license can be issued to any applicant he must obtain a final rating of at least 70 per cent in an examination before the Board in practical experience and in the technical subjects required by the Board for the grade of civil engineer or surveyor, as the case may be. The grading in each subject of the examination shall be on the basis of One Hundred for perfect and zero for total failure and the method of arriving at the final rating shall be determined by the Board of Examiners; provided that a grade of less than fifty per cent in any subject shall exclude a candidate from the privilege of a license regardless of the final average rating; provided, further that at any time within six months from the date of said failure a second examination may be given by the Board without additional examination fee in no more than two subjects in which a grade of less than fifty per cent was made.

As soon as practicable after the close of each examination the members of the Board who shall have conducted such examination shall make and sign and transmit to the Secretary of the Board, a report of examination showing the rating of each candidate by subjects, and the final ratings obtained by each, which report shall be filed by the Secretary of the Board.

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 73 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Smith.
Cousins.	Suiter.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Nays—2.

Parr.	Rector.
	Absent.
Dean.	Strickland.
Hopkins.	Westbrook.
	Absent—Excused.
Bledsoe.	Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed finally.

House Bill No. 55.

The Chair laid before the Senate on second reading:

H. B. No. 55, A bill to be entitled "An Act to amend Section 8, Chapter 119, of the General Laws of the State of Texas, passed by the Thirty-second Legislature of the State of Texas, 1911, and as amended by Chapter 111 of the General Laws of the State of Texas, as passed by the Thirty-sixth Legislature, relating to the compensation of official shorthand reporters, repealing all laws in conflict with this section, and declaring an emergency."

The Committee report that the bill be printed in the Journal only was adopted.

Senator Alderdice offered the following which were read and adopted:

(1) Amend House Bill 55 by striking out Section 1a, column 2, page 434 of the Senate Journal.

(2) Amend House Bill 55, by striking out the words, "or in any civil case, either party thereto," in column 1, page 434 of the Senate Journal, lines 39 and 40.

Senator Alderdice offered the following:

(3) Amend House Bill No. 55, page 434 of the Senate Journal, column 1 thereof by adding at the end of section 1 of the bill, immediately before section 2, the following:

"Providing that when any party to any civil suit may desire a transcript of the evidence in such suit the official shorthand reporter reporting such suit shall furnish such transcript to said party, either in narrative form or in question and answer form as may be requested. In the event same is prepared and furnished in narrative form, said official shorthand reporter shall be entitled to the same compensation now provided by law for preparing such transcript in question and answer form, which may be taxed as cost in the suit as is now provided by law with reference to transcripts in question and answer form.

Senator Dean offered the following amendment to the pending amendment:

Strike out the words "in question and answer form" last line of the amendment and substitute for the words so stricken out the following "in narrative form".

The amendment as amended was then adopted.

The following by Senator Hopkins were read and adopted:

(4) Amend House Bill No. 55 by adding at the end of Section 8 the following:

"Provided that in all criminal cases, or other cases in which the State is a party the official shorthand reporter shall in case he furnishes transcript of any evidence or other proceedings in such cause, to any person, be and he is hereby required to make and furnish to the District or County Attorney or to the Attorney General who may be representing the State in such cause a copy of such transcript without making any charge therefor, and the failure of any official shorthand reporter to comply with this provision shall subject him to removal from office."

(5) Amend House Bill No. 55 by adding before the words "repealing all laws in conflict" in the caption,

the following: "providing for free copies of certain transcripts for attorneys representing the State".

The bill was read second time and passed to its third reading.

On motion of Senator Alderdice the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 55 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hertzberg.
Buchanan of Scurry	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dean.	Rector.
Dudley.	Smith.
Faust.	Suiter.
Floyd.	Williford.
Gibson.	Witt.
Hall.	Woods.

Absent.

Bailey.	Strickland.
Buchanan of Bell.	Westbrook.
Dorough.	

Absent—Excused.

Bledsoe.	Dayton.
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The bill was laid before the Senate, read third time and, on motion of Senator Alderdice, was passed finally.

Senate Bill No. 72.

The Chair laid before the Senate on second reading:

S. B. No. 72, A bill to be entitled "An Act changing the name of the Forty-fourth Judicial District Court of Texas to the 'Dallas County District Court of Domestic Relations' and restricting the jurisdiction in part, and providing for the transfer of cases between the Fourteenth and sixty-eighth District Courts and; providing for the Dallas County District Court of Domestic Relations to sit as a 'Juvenile Court, and increasing the number and duties of the Probation Officers for Dallas County; and repealing all laws in conflict herewith.'"

Senator Dorough offered the following amendments which were read and adopted.

Amend Senate Bill No. 72 by striking out all following the caption and insert in lieu thereof the following: Be it enacted by the Legislature of the State of Texas:

Section 1. That the Dallas County Criminal District Court No. 1, of Texas, which comprises the County of Dallas shall hereafter be known as designated as the Dallas County District Court of Domestic Relations; the jurisdiction of said Court is hereby restricted, and said Court shall hereafter have jurisdiction only of suits for divorce, suits for the dissolution of the marriage relation, suits involving the custody of minor children and such other matters wherein jurisdiction is expressly conferred by the terms of this Act. The status of said Court and the Judge and the other officers connected therewith, and the terms for which the Judge thereof is elected shall remain as it now is without any change whatsoever, subject only to the express provisions of this Act.

Section 2. All cases pending in the Criminal District Court No. 1 of Dallas County at the time this Act takes effect, except such cases of which the Dallas County District Court of Domestic Relations has jurisdiction under the terms of this Act shall be by the Judge of said Court transferred to the Dallas County Criminal District Court No. 2. All cases pending in the Fourteenth Judicial District Court and the Sixty-eighth Judicial Court and the Forty-fourth Judicial Court at the time this Act takes effect and from which by the terms of this Act the Dallas County District Court of Domestic Relations is given jurisdiction, shall be by the respective judges of said court transferred to the said Dallas County District Court of Domestic Relations.

Section 3. From and after the time this Act takes effect, the Judges of the Fourteenth Judicial District Court, and the Sixty-eighth Judicial District Court, and the Forty-fourth Judicial District Court shall from time to time under such rules and regulations as they may adopt, transfer and re-transfer from one of said courts to the other such civil cases as are pending therein so as at all times to keep the dockets and business of said court as nearly equalized as possible.

Section 4. The Dallas County Dis-

strict Court of Domestic Relations shall have exclusive jurisdiction of Dallas County of all criminal prosecution arising under Article 1055 of the Revised Penal Code of 1911 relating to offenses of encouraging and contributing to the delinquency and dependency of children of all criminal prosecutions arising under Chapter 101 of the Acts of the Regular Session of the Thirty-third Legislature, relating to the offenses made of wife and child desertion.

Section 5. The Dallas County District Court of Domestic Relations shall have jurisdiction in Dallas County of all cases arising under the laws governing and relating to delinquent children and dependent and neglected children, commonly known as juvenile cases and said Court, when sitting in said cases, shall be called the Juvenile Court.

Section 6. The Judge of the Dallas County District Court of Domestic Relations shall have the right to appoint probation officers in the same manner as is now provided by law for the appointment of such officers by the County Judge and the law governing the duties and salaries of said probation officers shall remain in all respects as it now is and in addition to the duties of the said probation officers as now defined by law, said officers shall at any and all times be subject to the orders and direction of the Dallas County District Court of Domestic Relations or the Judge thereof, and said Court of Domestic Relations or the Judge thereof is authorized and empowered to investigate any cases or matters pending in said court by and through the aid and assistance of said probation officer subject however, to all limitations now imposed by law.

Section 7. The Chief Probation officer as provided for aforesaid shall, in addition to his other duties, pass on all applications and issue all permits in Dallas County for children to work as is required by law and under what is commonly known as the "Child Labor Law" where under such law permits to work are authorized to be issued.

Section 8. All laws and parts of laws in conflict with this Act are hereby expressly repealed in so far as such conflict may exist.

Section 9. The fact that there is an unequal distribution of cases

pending on the dockets of the Dallas County District Courts, and business of said courts generally is not uniform, and the fact that a Domestic Relations Court is urgently needed in Dallas County creates an emergency and an imperative public necessity that the constitutional rule that bills be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

(1) Amend Senate Bill No. 72 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL
To Be Entitled

An Act changing the name of the Dallas County Criminal Court No. 1 of Texas to the Dallas County District Court of Domestic Relations, and restricting the jurisdiction in part, and providing for the transfer of cases between the Fourteenth and Sixty-eighth and Forty-fourth District Courts, and providing for the Dallas County District Court of Domestic Relations to sit as a Juvenile Court, and increasing the number and the duties of the probation officers for Dallas County; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment by the following vote:

Yeas—13.

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Scurry	Hertzberg.
Clark.	Page.
Dorough.	Parr.
Faust.	Woods.
Floyd.	

Nays—12.

Buchanan of Bell.	Johnston.
Caldwell.	Rector.
Carlock.	Smith.
Cousins.	Suiter.
Dean.	Westbrook.
Dudley.	Williford.

Present—Not Voting.

McNealus.

Absent.

Hopkins.	Witt.
Strickland.	

Absent—Excused.

Bledsoe. Dayton.

On motion of Senator Dorrough the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 72 put on its third reading and final passage by the following vote:

Yeas—16.

Alderdice.	Hertzberg.
Bailey.	Page.
Buchanan of Scurry	Parr.
Clark.	Rector.
Dorough.	Smith.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woods.

Nays—3.

Caldwell. Williford.
Carlock.

Present—Not Voting.

Buchanan of Bell. Hall.
Cousins. Johnston.
Dean. McNealus.
Dudley.

Absent.

Hopkins. Witt.
Strickland.

Absent—Excused.

Bledsoe. Dayton.

The bill was read third time and failed to pass by the following vote:

Yeas—12.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Scurry	Hertzberg.
Clark.	Page.
Dorough.	Parr.
Faust.	Woods.

Nays—13.

Buchanan of Bell.	Rector.
Caldwell.	Smith.
Carlock.	Strickland.
Cousins.	Suiter.
Dean.	Westbrook.
Dudley.	Williford.
Johnston.	

Present—Not Voting.

Hall. McNealus.

Absent.

Hopkins. Witt.

Absent—Excused.

Bledsoe. Dayton.

House Bill No. 101.

The Chair laid before the Senate on second reading:

H. B. No. 101, A bill to be entitled "An Act to amend Sections 1 and 4 of House Bill No. 48, Chapter 19 Acts of the Regular Session of the Thirty-sixth Legislature, creating the Cedar Bayou Independent School District providing for the boundaries of said district and the number of trustees to be elected."

The bill was read second time and passed to its third reading.

On motion of Senator Johnston the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 101 put on its third reading and final passage by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

Absent—Excused.

Bledsoe. Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Johnston, was passed finally.

House Bill No. 78.

Senator Floyd asked for unanimous consent to take up House Bill No. 78.

There was objection by Senator Caldwell.

Senator Floyd moved that the regular order of business be suspended,

and the Senate take up, out of its order, House Bill No. 78.

The motion prevailed by the following vote:

Yeas—21.

Alderdice.	Gibson.
Bailey.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	

Nays—3.

Caldwell.	Woods.
Hertzberg.	

Present—Not Voting.

Carlock.	Johnston.
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Absent.

Hall.	Strickland.
Page.	

Absent—Excused.

Bledsoe.	Dayton.
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The Chair laid before the Senate on second reading:

H. B. No. 78, A bill to be entitled "An Act to create the Board of Public Printing, provide for a secretary who shall also be the State Expert Printer, and fixing his salary, providing clerical help for the State Expert Printer, to provide for the letting of contracts for printing, binding and furnishing stationery and other supplies, to authorize the Secretary of State to employ the necessary help for the expenditures printing and mailing of the laws, to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Floyd moved to adopt the Committee report that the bill be not printed.

Senator Caldwell moved as a substitute to amend the Committee report by striking out the word "not" before the word "printed" and add the words "in the Journal only".

On motion of Senator Floyd the amendment was tabled by the following vote:

Yeas—15.

Alderdice.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	

Nays—9.

Bailey.	Johnston.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Woods.
Hertzberg.	

Present—Not Voting.

Cousins.

Absent.

Gibson.	Page.
Hall.	Strickland.

Absent—Excused.

Bledsoe.	Dayton.
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The Committee report that the bill be not printed was adopted.

Senator Caldwell offered the following amendment which was read:

Amend House Bill No. 78, section 1. Strike out "comptroller" and insert in lieu thereof "State Treasurer."

Pending.

Recess.

At 12:15 o'clock p. m. the Senate on motion of Senator McNealus, recessed until 2:30 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Johnson.

House Bill No. 78.

Action recurred upon the pending business, Senate Bill No. 78, creating the Board of Public Printing, fixing its duties, etc.

The question being upon the following amendment by Senator Caldwell, to-wit:

Amend House Bill No. 78, Section 1, strike out "Comptroller" and in-

sert in lieu thereof "State Treasurer".

On motion of Senator McNealus the amendment was tabled.

Senator Caldwell offered the following:

(1) Amend House Bill No. 78, Section 4, by inserting after the words "Judicial Department" the words "and such work as may be done by the various educational and eleemosynary institutions in this State."

Senator McNealus moved to table amendment and this motion was lost by the following vote:

Yeas—9.

Alderdice.	Floyd.
Buchanan of Bell.	McNealus.
Clark.	Smith.
Cousins.	Suiter.
Faust.	

Nays—13.

Buchanan of Scurry	Parr.
Caldwell.	Rector.
Carlock.	Westbrook.
Dean.	Williford.
Dudley.	Witt.
Hertzberg.	Woods.
Hopkins.	

Present—Not Voting.

Bailey.	Hall.
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Absent.

Dorough.	Page.
Gibson.	Strickland.
Johnston.	

Absent—Excused.

Bledsoe.	Dayton.
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Senator Witt offered the following amendment to the amendment:

Amend the amendment by striking out "and eleemosynary institutions."

On motion of Senator Caldwell the amendment to the amendment was tabled.

Action recurred upon the amendment by Senator Caldwell and the same was adopted by the following vote:

Yeas—12.

Buchanan of Scurry	Dean.
Caldwell.	Dudley.
Carlock.	Hertzberg.
Clark.	Parr.

Rector.	Johnson, W. A.
Williford.	Lieut. Gov.
Woods.	

Nays—11.

Alderdice.	McNealus.
Buchanan of Bell.	Smith.
Cousins.	Suiter.
Faust.	Westbrook.
Floyd.	Witt.
Hopkins.	

Absent.

Bailey.	Johnston.
Dorough.	Page.
Gibson.	Strickland.
Hall.	

Absent—Excused.

Bledsoe.	Dayton.
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Senator Caldwell offered the following amendment which was read and adopted.

(2) Amend House Bill 78, Section 4 by inserting after the words "general circulation in the State of Texas" the words "which shall have the largest circulation in the county of its publication".

Senator Caldwell offered the following:

Amend House Bill 78 by striking out Section 5 and substituting the following:

Section 5. The printing and stationery and supplies for the State of Texas, including any department, institution or Board of Control, and except the judicial department, shall be of five classes, designated and described as follows:

(1) Of the First Class. Furnishing paper and printing and binding all laws, journals, department reports, executive messages and documents, sheets and pamphlets, folded circulars, and book printing required by all state departments, institutions and boards of control, except the judicial department.

(2) Of the Second Class. Furnishing paper and all blanks and printed forms, and such binding as is included in what is called job work, required by the State of Texas and department institutions or Board of Control except the judicial department.

(3) Of the Third Class. Blank books, either ruled or printed or ruled without printing.

(4) Of the Fourth Class. Printing of bills, resolutions, committee reports or such other like work as

may be ordered by the Legislature or either branch thereof.

(5) Of the Fifth Class. Stationery and office supplies, which shall include paper of all kinds and sizes that may be needed by the State of Texas, not including papers used in the 1st, 2nd, 3rd and 4th classes; or envelopes, blotting paper, pencils, inks, mucilage or paste pens, pen holders, rubber bands, erasers of all kinds, inkstands, paper fasteners, and such other office necessities as may, in the judgment of the Board of Public Printing, be included in the letting of said contract.

(6) All contracts let by the Board of Public Printing shall be on the unit basis, that is for printing, on the basis of 1,000 ems, on press work per 1,000 impressions, on binding per 100 sheets, or per signature, and for cover of each book, and for stationery and supplies per ream or per gross or per dozen, etc., as such articles are usually sold in the market.

On motion of Senator Witt the amendment was tabled.

Senator Caldwell offered the following:

(3) Amend House Bill No. 78 by inserting after Section 5, Sections 5a and 5b as follows:

Section 5a. The Board of Public Printing may, in its discretion, group any class in advertising for bids and awarding contracts in such manner as shall give the State the most efficient service.

Section 5b. The Board of Public Printing shall have the authority to determine to which bidder the several classes of work shall be awarded, being authorized to let the contract for the several classes of printing to separate bidders, and in calling for proposals, it shall be specified that bids for stationery and office supplies shall be separate and distinct from the bids for printing. Any bidder shall be allowed to bid on either any or all of the classes to be contracted for.

Senator Floyd moved to table the amendment and this motion was lost by the following vote:

Yeas—9.

Buchanan of Bell.	Strickland.
Cousins.	Suiter.
Floyd.	Westbrook.
Hopkins.	Williford.
Smith.	

Nays—13.

Bailey.	Hertzberg.
Caldwell.	McNealus.
Carlock.	Parr.
Clark.	Rector.
Dean.	Witt.
Dudley.	Woods.
Faust.	

Present—Not Voting.

Alderdice.	Johnston.
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Absent.

Buchanan of Scurry Hall.	
Dorough.	Page.
Gibson.	

Absent—Excused.

Bledsoe.	Dayton.
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Action then recurred upon the amendment and the same was adopted.

Senator Caldwell offered the following amendment:

Amend House Bill No. 78, section 6 by striking out the words "then existing" and insert in lieu thereof, "made for such printing".

On motion of Senator Floyd the amendment was tabled.

Senator Caldwell offered the following:

Amend House Bill 78, by striking out Section 8 and insert in lieu thereof the following:

Section 8. The Board of Public Printing shall order such quantity of all reports to the Governor as may be deemed necessary, not less than 600, nor more than 5000. Of General Laws said Board shall order not less than 8000, nor more than 20,000, and of Special Laws such quantity as may be deemed necessary. Other documents and messages shall be ordered upon requisition of the Governor or heads of departments as in the judgment of said Board is deemed necessary. Requisitions by Educational Institutions for printing shall be transmitted by said Board of Public Printing to the contractor whose duty it is to execute such work, and said Board shall approve no bills for printing except they be in accordance with the contracts existing when said printing is ordered.

The amendment was read and on motion of Senator Floyd the same was tabled.

The following amendment by Senator Caldwell was read:

Amend House Bill No. 78, Section 9. Strike out Section 9 and insert in lieu thereof the following and by adding sections 9a, 9b, 9c and 9d as follows:

Section 9. Each bid shall be accompanied by the bond of the bidder, with two or more good and sufficient surities, conditioned that, should the contract be awarded to him, he will, without delay, upon being notified of such award enter into a written contract in accordance with law, and with his said proposal, and will give bond and security as required by law, for the faithful performance of such contract.

Section 9a. It shall be the duty of the printing board on the day fixed in such advertisement, or as soon thereafter as practicable, to make a careful examination and comparison of such bids, and to award the contracts to the lowest and best responsible bidder whose bid may be below the maximum rates as herein prescribed; provided, such bid shall be approved by the Governor and Comptroller of Public Accounts.

Section 9b. It shall be the duty of the Secretary of State, upon the making of such awards, immediately to notify the successful bidders, respectively, of the acceptance of their said bids, and that they will be required without delay to execute and deliver to him their contracts with the State for the due performance of their said undertakings.

Section 9c. Such contracts shall be in writing and shall be signed by the bidder, with two or more good and sufficient sureties, to be approved by the printing board in such sum as they shall prescribe, made payable to the State, and conditioned for his faithful compliance with his bid, and with the provisions of the law relating thereto, for the period of two years, and until a new contract shall have been made approved; the contract shall also be signed on behalf of the State by the members of the printing board and shall be approved by the Governor and Comptroller, and filed in the office of Secretary of State.

Section 9d. On breach by the contractor of the bond provided for in the preceding article the same may be put in suit on the order of the Board of Public Printing and such

suit may be brought in the proper court of the county in which the seat of government may be; and such bond shall not become void on the first recovery, but suits may be maintained thereon until the whole amount thereof shall be recovered.

On motion of Senator Floyd the amendment was tabled.

Senator Caldwell offered the following amendment:

Amend House Bill 78 by striking out Section 15 and insert in lieu thereof the following:

Section 15. Delivery of the Laws and Permanent Journals shall begin within thirty days after the last copy shall have been furnished to the contractor provided at least one-fourth of the copy shall have been delivered each week for three weeks prior to the delivery of the last copy. The reports of public offices shall be delivered to the Governor by the respective officers making the same, in sufficient time to be delivered to the contractor one month before the meeting of the Legislature, and if so furnished to said contractor shall be delivered to the Secretary of State not later than the first week of said session; and if such copy is furnished less than one month before the meeting of the Legislature, or after the same shall be delivered by the contractor to the Secretary of State not later than one month after it is so furnished.

On motion of Senator Floyd the amendment was tabled.

Senator Caldwell offered the following amendment:

Amend House Bill 78 by striking out Section 19 of the bill and inserting in lieu thereof the following:

Section 19. Should the successful bidder fail to execute the bond with security as herein provided, it shall be the duty of the Board of Public Printing to proceed to let a new contract as herein provided. Provided however that said Board of Public Printing may in its discretion make such temporary arrangement to meet the emergency as is demanded by the public interest.

Senator Floyd moved to table the amendment and this motion was lost by the following vote:

Yeas—8.

Alderdice. Faust.
Buchanan of Bell. Floyd.

Gibson. Smith.
Hopkins. Westbrook.

Nays—14.

Buchanan of Scurry Page.
Caldwell. Parr.
Carlock. Rector.
Clark. Strickland.
Dorough. Williford.
Hertzberg. Witt.
McNealus. Woods.

Present—Not Voting.

Bailey. Dudley.
Cousins. Johnston.

Absent.

Dean. Sulter.
Hall.

Absent—Excused.

Bledsoe. Dayton.

The amendment was then adopted.
Senator Caldwell offered the following which was read:

Amend House Bill 78 by striking out Section 22 and renumbering remaining sections to correspond.

On motion of Senator Floyd the amendment was tabled.

Senator Strickland offered the following:

Amend House Bill 78, Section 3. Strike out "\$2400.00" and insert in lieu thereof the figures "\$2000.00." Also strike out "He shall have authority to employ such clerical help, including bookkeeper and stenographer, or either of them, as may be provided by the appropriation provided for said department."

On motion of Senator Floyd the amendment was tabled.

The bill was read second time and passed to engrossment.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 78 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice. Floyd.
Bailey. Gibson.
Buchanan of Bell. Hertzberg.
Buchanan of Scurry Hopkins.
Carlock. Johnston.
Dean. McNealus.
Dorough. Page.
Dudley. Parr.
Faust. Rector.

Smith. Williford.
Strickland. Witt.
Sulter. Woods.
Westbrook.

Nays—1.

Caldwell.

Absent.

Clark. Hall.
Cousins.

Absent—Excused.

Bledsoe. Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Floyd was passed by the following vote:

Yeas—20.

Alderdice. Page.
Buchanan of Bell. Parr.
Buchanan of Scurry Rector.
Dean. Smith.
Dorough. Strickland.
Dudley. Sulter.
Floyd. Westbrook.
Hertzberg. Williford.
Hopkins. Witt.
Johnston. Woods.

Nays—2.

Caldwell. McNealus.

Absent.

Bailey. Faust.
Carlock. Gibson.
Clark. Hall.
Cousins.

Absent—Excused.

Bledsoe. Dayton.

Senate Bill No. 5.

The Chair laid before the Senate on second reading:

S. E. No. 5, A bill to be entitled "An Act fixing the salary of the State Inspector of Masonry, Public Buildings and Works, and three assistants and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

Senator Caldwell offered the following amendment which was read.

(1) Amend Senate Bill No. 5 by adding Section 2a, as follows:

"The Game, Fish and Oyster Com-

missioner shall receive an annual salary of three thousand six hundred dollars."

"The Chief Deputy in the office of the Game, Fish and Oyster Commissioner shall receive an annual salary of two thousand, five hundred dollars."

"The Pure Food and Dairy Commission shall receive an annual salary of three thousand, six hundred dollars."

"The Head Chemist in the office of the Pure Food and Dairy Commissioner shall receive an annual salary of three thousand dollars."

"The Secretary of the Board of Water Engineers shall receive an annual salary of twenty-five hundred dollars."

"The Assistant Attorney General, in the Court of Criminal Appeals shall receive an annual salary of three thousand, six hundred dollars."

Senator Suiter moved to postpone further consideration of the bill until 8 o'clock, p. m., next Tuesday.

The motion prevailed by the following vote:

Yeas—21.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Bell.	Page.
Buchanan of Scurry	Parr.
Carlock.	Smith.
Cousins.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	

Nays—4.

Caldwell.	Hertzberg.
Dudley.	Rector.

Present—Not Voting.

McNealus.	Absent.
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Clark.	Woods.
Hall.	Absent—Excused.

Bledsoe.	Dayton.
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House Bill No. 136.

The Chair laid before the Senate on second reading:

H. B. No. 136, A bill to be entitled

"An Act to incorporate the Rucker Independent School District in Comanche County, Texas, placing said independent school district under the general statutes governing school districts, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and was passed to its third reading.

On motion of Senator Rector, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 136 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.	Dayton.
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The bill was laid before the Senate, read third time and, on motion of Senator Rector, was passed by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

House Bill No. 130.

The Chair laid before the Senate on second reading:

H. B. No. 130, A bill to be entitled "An Act creating an independent school district to be known as 'Los Indios Independent School District' in Cameron County, and to provide for creation of a board of trustees therefor, etc., and creating an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading:

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 130 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent—Excused.

Bledsoe.

Hall.

Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed by the following vote:

Yeas—28.

Alderdice.	Dean.
Bailey.	Dorough.
Buchanan of Bell.	Dudley.
Buchanan of Scurry	Faust.
Caldwell.	Floyd.
Carlock.	Gibson.
Clark.	Hertzberg.
Cousins.	Hopkins.

Johnston.
McNealus.
Page.
Parr.
Rector.
Smith.

Strickland.
Suiter.
Westbrook.
Williford.
Witt.
Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

Senate Bill No. 91.

The Chair laid before the Senate on second reading:

S. B. No. 91, A bill to be entitled "An Act to amend Article 6292 of the Revised Civil Statutes of the State of Texas of 1911, providing that the Board of Pharmacy shall be entitled to charge and collect the following fees: For the examination of an applicant for license as a pharmacist, five (\$5.00) dollars; for the examination of an applicant for license as an assistant pharmacist, two dollars and fifty cents (\$2.50); every registered pharmacist and every assistant pharmacist, who desires to continue in the pursuit of pharmacy in this State is required annually, after the expiration of the first year of registration, and on or before the first day of January, each year to pay to the Secretary of the Board of Pharmacy a renewal fee to be fixed by the Board which shall not exceed three dollars, in return for which a renewal of registration shall be issued; providing further that the State Board of Pharmacists shall each year turn over to the State Pharmaceutical Association, for the advancement of the science and art of pharmacy out of the annual fees collected by it, such sum as it may deem advisable, but not to exceed two dollars for each pharmacist who shall have paid his renewal fee during said year; said Act providing that said Association shall annually report to said Board on the condition of pharmacy in the State, and providing that all fees for examination shall be paid in advance of such examination, and declaring an emergency."

Senator Smith offered the following amendment which was read and adopted.

(1) Amend Senate Bill No. 91, page 2, line 18, changing period to comma after the word "year" and add the following:

"Providing that those holding a certificate of pharmacy and not engaged in the active practice of pharmacy, shall be issued a renewal certificate upon payment of an annual fee of one (\$1.00) dollar.

The bill was read second time and passed to engrossment.

On motion of Senator Gibson, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 91 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Nays—2.

Suiter.	Westbrook.
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Absent.

Dorough.	Hall.
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Absent—Excused.

Bledsoe.	Dayton.
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The bill was laid before the Senate, read third time and, on motion of Senator Gibson, was passed finally.

House Bill No. 193.

The Chair laid before the Senate on second reading:

H. B. No. 193, A bill to be entitled "An Act to amend Section 2 of House Bill No. 195, enacted by the Fourth Called Session of the Thirty-fifth Legislature, amending and revising the metes and bounds of the Nixon Independent School District."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 193 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.	Dayton.
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The bill was laid before the Senate, read third time and, on motion of Senator Bailey was passed finally.

Senate Bill No. 149.

The Chair laid before the Senate on second reading:

S. B. No. 149, A bill to be entitled "An Act for relief of railway corporations having charters granted or amended since the 1st day of January 1892 and which have failed or about to fail to construct their roads and branches or any part thereof, with in the time required by law."

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Bell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 149 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Caldwell.
Bailey.	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry	Cousins.

Dean.	McNealus.
Dorough.	Page.
Dudley.	Parr.
Faust.	Rector.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Hertzberg.	Williford.
Hopkins.	Witt.
Johnston.	

Absent.

Smith.	Woods.
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Absent—Excused.

Bledsoe.	Dayton.
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The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Bell, was passed by the following vote:

Yeas—26.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.

Absent.

Hall.	Woods.
Smith.	

Absent—Excused.

Bledsoe.	Dayton.
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Senate Bill No. 131.

The Chair laid before the Senate on second reading:

S. B. No. 131, A bill to be entitled "An Act to amend Article 1606, Chapter 5, of the Revised Civil Statutes of Texas of 1911 as amended by an Act approved February 24, 1905, by the Twenty-ninth Legislature Regular Session, relating to the employment and salaries of stenographers of Courts of Civil Appeals and fixing the salaries of stenographers of Courts of Civil Appeals, and declaring an emergency, and providing that the Act take effect from its

passage, and repealing all laws or parts of laws in conflict with the provisions of this Act."

The committee report that the bill be printed in the Journal only was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dorough, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 131 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Woods.
Gibson.	

Absent.

Floyd.	Smith.
Hall.	Witt.

Absent—Excused.

Bledsoe.	Dayton.
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The bill was laid before the Senate, read third time and, on motion of Senator Dorough, was passed finally.

House Bill No. 151.

The Chair laid before the Senate on second reading:

H. B. No. 151, A bill to be entitled "An Act creating the Bremond Independent School District of Robertson County, Texas, consolidating into said independent school district the territory included in the present district of Bremond Independent School the Wooten Wells Common School District, and such territory of Hammond Common School District as is included by the field notes as follows: Defining its boundaries, investing it with the rights, powers, duties and privileges of a district incorporated for school purposes under the general law; providing for a

board of trustees therefor; making provisions for taxation for school purposes in said district, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Williford, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 151 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe. Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Williford, was passed by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe. Dayton.

House Bill No. 144.

The Ohair laid before the Senate on second reading:

H. B. No. 144, A bill to be entitled "An Act creating the Bloomington Independent School District in Victoria County, Texas and defining its boundaries, and providing for the election of a board of trustees to manage and control a public free school within said district, naming the fiscal years as to taxes, investing said district with the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 144 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe. Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Bailey, was passed by the following vote:

Yeas—28.

Alderdice.	Cousins.
Bailey.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.

Hertzberg.	Smith.
Hopkins.	Strickland.
Johnston.	Suiter.
McNealus.	Westbrook.
Page.	Williford.
Parr.	Witt.
Rector.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

Senate Bill No. 86.

The Chair laid before the Senate on second reading:

S. B. No. 86, A bill to be entitled "An Act to amend Chapter 104 Acts of the Thirty-fifth Legislature 1917, and providing for registration and statistical reports of teachers, superintendents, principals and other school officers in all schools supported wholly or in part by the State of Texas, and providing for the withholding of the salary of said teachers, superintendents, principals and other school officers until such reports are made, after due notice has been given, providing penalties for failure to comply with the provisions of this Act; and declaring an emergency."

Senator Alderdice offered the following amendment which was read and adopted:

Amend Senate Bill No. 86, -by striking out in lines 12 and 13, page 3 "the" after the figures "500" the words "or shall be confined in the county jail for not more than sixty days or by both such fine and imprisonment."

The bill was read second time and passed to engrossment.

On motion of Senator Alderdice the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 86 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Dean.
Bailey.	Dorough.
Buchanan of Bell.	Dudley.
Buchanan of Scurry	Faust.
Caldwell.	Gibson.
Carlock.	Hertzberg.
Clark.	Hopkins.
Cousins.	Parr.

Rector.	Westbrook.
Smith.	Williford.
Strickland.	Witt.
Suiter.	

Absent.

Floyd.	McNealus.
Hall.	Page.
Johnston.	Woods.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Alderdice was passed finally.

Senate Bill No. 165.

By unanimous consent and on motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 165 put on its second reading by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The Chair laid before the Senate on second reading:

S. B. No. 165, A bill to be entitled "An Act creating a County Court of Eastland County, Texas, at law, defining and establishing the jurisdiction of said court and defining the jurisdiction retained by the County Court of Eastland County, etc., and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 165 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe. Dayton.

The bill was laid before the Senate read third time and, on motion of Senator Buchanan of Scurry was passed by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Hall. McNealus.

Absent—Excused.

Bledsoe. Dayton.

House Bill No. 88.

The Chair laid before the Senate on second reading:

H. B. No. 88, A bill to be entitled "An Act to amend Section 15, Chapter 118, Special Laws of 1913, authorizing and empowering Falls County, or a political subdivision thereof, to issue bonds for the purpose of construction permanent roads in said county, so as to provide for the employment of an engineer by said county or subdivision thereof at a salary of not to exceed five thousand dollars annually, and fixing the bond of said engineer."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 88 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe. Dayton.

The bill was laid before the Senate, read third time, and on motion of Senator Witt was passed by the following vote:

Yeas—28.

Alderdice.	Cousins.
Bailey.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.

Hertzberg.	Smith.
Hopkins.	Strickland.
Johnston.	Suiter.
McNealus.	Westbrook.
Page.	Williford.
Parr.	Witt.
Rector.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

House Bill No. 169.

The Chair laid before the Senate on second reading:

H. B. No. 169 A bill to be entitled "An Act to amend Chapter 122 of the Special Laws of the Thirty-fifth Legislature of Texas, creating a special road system for Milam County, Texas, and creating a more efficient road system for Milam County, Texas."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 169 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read third time and, on motion

of Senator Floyd was passed by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

Senate Bill No. 167.

By unanimous consent and on motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 167 put on its second reading by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The Chair laid before the Senate on second reading:

S. B. No. 167, A bill to be entitled "An Act to create and establish a court for the trial of criminal cases and offenses of a criminal nature

arising within the city of Port Arthur, Texas, and to prescribe its organization jurisdiction and procedure to conform the jurisdiction and procedure of other courts thereto, to repeal all laws in conflict therewith, and to declare an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 167 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe. Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Cousins, was passed by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Gibson.	Woods.
Hertzberg.	

38—Spec.

Absent.

Bailey.
Floyd.

Hall.
McNealus.

Absent—Excused.

Bledsoe. Dayton.

House Bill No. 134.

The Chair laid before the Senate on second reading:

H. B. No. 134, A bill to be entitled "An Act to create the London Independent School District, known as Common School District No. 2 in Nueces County, Texas, and providing for the election of trustees, etc. and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and was passed to third reading.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 134 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe. Dayton.

The bill was laid before the Senate, read third time and, on motion of Senator Clark was passed by the following vote:

Yeas—28.

Alderdice.	Caldwell.
Bailey.	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry.	Cousins.

Dean.	Page.
Dorough.	Parr.
Dudley.	Rector.
Faust.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hertzberg.	Westbrook.
Hopkins.	Williford.
Johnston.	Witt.
McNealus.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

Senate Joint Resolution No. 3.

By unanimous consent and on motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and Senate Joint Resolution No. 3, put on its second reading by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Hall.

McNealus.

Absent—Excused.

Bledsoe.

Dayton.

The Chair laid before the Senate on second reading:

S. J. R. No. 3, Declaring that the Governor and the Attorney General of this State in addition to the authority conferred upon them respectively by the Constitution and the statutes of the State, are directed to institute suit in the Supreme Court of the United States for the purpose of determining and settling the boundaries between the State of Oklahoma and the State of Texas, and

the preservation of the rights of the State and its citizens and those owning property under and by virtue of the Constitution and laws of the State, etc., and declaring an emergency.

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the resolution be not printed was adopted.

The resolution was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and Senate Joint Resolution No. 3 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Hall.

McNealus.

Absent—Excused.

Bledsoe.

Dayton.

The resolution was laid before the Senate read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—26.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Cousins. McNealus.
Hall.
Absent—Excused.
Bledsoe. Dayton.

Simple Resolution No. 34.

Whereas, Simple Resolution No. 30, adopted by the Senate relating to inheritance taxes provides for the Mailing Clerk to mail a copy of the Senate Journal containing said resolution to all tax collectors and all county attorneys of the State; therefore, be it

Resolved, That five hundred extra copies of the first four pages of the Senate Journal of Thursday, July 17, 1919, be printed for such purpose.

HOPKINS.

The resolution was read and adopted.

House Bill No. 84.

The Chair laid before the Senate on second reading:

H. B. No. 84, A bill to be entitled "An Act amending Article 7220 of the Revised Civil Statutes of 1911, providing that the returns of election for preventing hogs and certain other animals from running at large shall be tabulated and counted in the same manner as provided for all general elections in the State of Texas, and further validating all such elections held in any county in this State where such elections have been held upon proper petition to the commissioners court, upon proper order and notice of such election, and where a majority of the freeholders voting at such election have voted in favor of same."

The Senate rule requiring committee report to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Strickland, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 84 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Hall. McNealus.
Absent—Excused.
Bledsoe. Dayton.

The bill was laid before the Senate, read third time, and on motion of Senator Strickland was passed finally.

Senate Bill No. 150.

The Chair laid before the Senate on second reading:

S. B. No. 150, A bill to be entitled "An Act to incorporate Blessing Independent School District, to provide for an election of trustees for such district; to provide for the payment of the debts now existing against Common School District No. 11 of Matagorda County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Bailey the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 150 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Dorough.
Bailey.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry	Floyd.
Caldwell.	Gibson.
Carlock.	Hertzberg.
Clark.	Hopkins.
Cousins.	Johnston.
Dean.	McNealus.

Page.	Suiter.
Parr.	Westbrook.
Rector.	Williford.
Smith.	Witt.
Strickland.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read third time, and on motion of Senator Bailey was passed by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

Senate Concurrent Resolution No. 24.

Whereas, it is necessary that the Hon. H. B. Daviss, Judge of the Thirteenth Judicial District of the State of Texas, be absent from the State for a period beginning between August 1, and August 10, 1919, and ending on October 1, 1919; therefore, be it

Resolved, by the Senate of Texas the House of Representatives concurring, That leave of absence be granted to said Judge H. B. Daviss, of the Thirteenth Judicial District of Texas for said time.

WOODS.
WILLIFORD.

The resolution was read and adopted.

House Bill No. 102.

The Chair laid before the Senate on second reading:

H. B. No. 102, A bill to be entitled "An Act regulating the sale of and defining agricultural and garden seeds and mixed seeds; requiring their proper labeling; prohibiting mixture of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificates of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases and regulating the measures of damages; designating an officer for the enforcement of the law, and fixing penalties for its violaton."

The committee report that the bill be not printed, was adopted.

The bill was read second time, and on motion of Senator Witt was passed to its third reading.

Senator Clark moved to postpone further consideration of the bill until Tuesday night.

The motion was lost.

Senator Williford offered the following.

Amend House Bill No. 102 by adding at the end of Section 10 thereof the following:

"Provided that this Act shall not apply to garden seed."

On motion of Senator Witt the amendment was tabled.

Senator Caldwell offered the following:

Amend House Bill No. 102 by striking out Section 9.

On motion of Senator Witt the amendment was tabled by the following vote:

Yeas—18.

Alderdice.	Hertzberg.
Buchanan of Scurry	Hopkins.
Carlock.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Gibson.	Woods.

Nays—4.

Caldwell.	Page.
Clark.	Williford.

Present—Not Voting.

Buchanan of Bell.

Absent.

Bailey.	Johnston.
Floyd.	McNealus.
Hall.	Parr.

Absent—Excused.

Bledsoe.	Dayton.
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The bill was laid before the Senate, read second time and, on motion of Senator Witt, was passed to its third reading:

Senate Bill No. 166.

By unanimous consent and on motion of Senator Alderdice the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 166 put on its second reading by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Dayton.	Bledsoe.
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The Chair laid before the Senate on second reading:

S. B. No. 166, A bill to be entitled "An Act to create a common County line school district, to be under the jurisdiction, management and control of the County School Board of Dallas County, Texas, to be composed of the territory described in this Act and defining the rights, powers, and privileges of such district, and declaring an emergency."

The Senate rule requiring Committee reports to lie over for one day was suspended.

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Alderdice the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 166 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.	Dayton.
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The bill was laid before the Senate, read third time, and on motion of Senator Alderdice was passed by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.	Dayton.
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House Bill No. 157.

The Chair laid before the Senate on second reading:

H. B. No. 157, A bill to be entitled "An Act creating the Lillie Independent School District in Collings-

worth County, Texas; defining its metes and bounds; providing a public free school within said district; investing said district with all the powers, rights, privileges and duties of independent school districts incorporated under the general laws of Texas for free school purposes only, and declaring an emergency."

The Committee report that the bill be not printed, was adopted. The bill was read second time and was passed to its third reading.

On motion of Senator Dudley the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 157 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Sulter.
Dudley.	Williford.
Faust.	Westbrook.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read third time, and on motion of Senator Dudley was passed by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

House Bill No. 176.

The Chair laid before the Senate on second reading:

H. B. No. 176, A bill to be entitled "An Act creating the China Independent School District in Jefferson County, Texas; defining its boundaries, etc."

The Committee report that the bill be not printed was adopted.

The bill was read second time and was passed to third reading.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 176 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read third time, and on motion of Senator Cousins was passed finally.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following:

H. B. No. 66, A bill to be entitled "An Act creating the Lovelady School

District in Houston County, Texas; defining its boundaries; providing for board of trustees to manage and control the public free schools within said district; investing the district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws; creating the trustees of said independent district as a board of equalization thereof, and conferring upon them the power, etc., given by the general laws, and declaring an emergency."

H. B. No. 114, A bill to be entitled "An Act to create the Van Independent School District in Van Zandt County, Texas; defining its boundaries; providing for a board of trustees, etc., and declaring an emergency."

H. B. No. 112, A bill to be entitled "An Act to amend 'An Act creating the Follet Independent School District of Lipscomb County, defining its metes and bounds, vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only, etc.," said original Act being House Bill No. 65, Chapter 13, Fourth Called Session of the Thirty-fifth Legislature; this amending Act revising the boundaries of said Follett Independent School District, fixing the number of trustees, etc., and declaring an emergency."

H. B. No. 147, A bill to be entitled "An Act establishing and creating the Ganado Independent School District in Jackson County, Texas; increasing and defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within such district vesting said district with the rights and powers and privileges and duties of an independent school district; providing that the taxes heretofore voted in any of the added territory to the said independent school district shall not be repealed by this Act, and declaring an emergency."

H. B. No. 115, A bill to be entitled "An Act to add Chapter 16, Title 48, Revised Civil Statutes of 1911, Articles 2851a, 2851b, 2851c, 2851d and 2851e, providing for an election and the qualified voters in a town or village incorporated for free school purposes only under the general law, for the purpose of authorizing an incorporated city or town incorporated

under the general law forming a part of said town or village incorporated for free school purposes only to acquire the right to take over and control the schools within the limits of such town or village incorporated for free school purposes only, authorizing the levy, assessment and collection of taxes to provide interest on and sinking fund for all bonds that may be outstanding against such town or village incorporated for free school purposes only, and for the support and maintenance of the schools therein, and providing for the election of school trustees after the taking over of the control of the schools of the district by the incorporated city or town, and declaring an emergency."

H. B. No. 180, A bill to be entitled "An Act adding to Chapter 17 of the Harris County Road Law, passed by a Regular Session of the Thirty-third Legislature of the State of Texas, adding thereto a new section to be known as Section 30a, authorizing the commissioners court of Harris County, Texas, for the purpose of furthering proper maintenance of the roads in Harris County, Texas; to invest the sinking fund in retiring anticipation warrants, and to provide for the refund of same by said county, and declaring an emergency."

S. B. No. 68, A bill to be entitled "An Act to incorporate the city of Texarkana, Texas, and a city of the first-class as a city of 10,000 and over inhabitants to grant said city a special charter."

S. B. No. 58, A bill to be entitled "An Act granting to the city of Rockport, Texas, all right, title and interest of the State of Texas to certain land lying and being situated under the waters of Aransas Bay."

S. B. No. 13, A bill to be entitled "An Act granting cities and towns power to reassess the cost of street and sidewalk improvements where prior assessment is erroneous or declared void; authorizing the procedure therefor, and declaring an emergency."

S. B. No. 12, placing Kenney, Uvalde and Medina Counties in Zone No. 3 instead of Zone No. 2; as arranged by the Tick Eradication Law."

House Concurrent Resolution No. 19. Resolved, by the House of Representatives, the Senate concurring,

That in adopting the report of the Blude Ridge Investigating Committee, the Legislature did not intend any reflection whatever upon the honesty or integrity of the Hon. R. L. Winfrey, Penitentiary Commissioner, and that neither said report nor the testimony before said committee justifies any such conclusion, and we therefore express our confidence in the personal integrity and official honesty of the said R. L. Winfrey.

S. B. No. 62, A bill to be entitled "An Act to amend Section 1 of a Special Act, entitled, 'An Act enlarging and giving boundaries of Independent School District No. 1, Sterling County for school purposes, making such old district subject to schoolhouse bonds outstanding, and providing for a board of equalization for said district, and defining its duties, etc., and declaring an emergency.'"

S. B. No. 52, making appropriations for the Commission of Appeals, etc.

House Bill No. 117.

The Chair laid before the Senate on second reading:

H. B. No. 117, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Scurry county, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The Committee report that the bill be not printed, was adopted. The bill was read second time and was passed to third reading.

On motion of Senator Buchanan of Scurry the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 117 put on its third reading and final pasage by the following vote:

Yeas—28.

Alderdice.	Dudley.
Bailey.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry	Gibson.
Caldwell.	Hertzberg.
Carlock.	Hopkins.
Clark.	Johnston.
Cousins.	McNealus.
Dean.	Page.
Dorough.	Parr.

Rector.	Westbrook.
Smith.	Williford.
Strickland.	Witt.
Sulter.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry was passed finally.

House Bill No. 24.

The Chair laid before the Senate on second reading:

H. B. No. 24, A bill to be entitled "An Act to establish School District No. 6 in San Patricio county, Texas, extending its boundaries to include certain lands and personal property heretofore in Common School District No. 3 of said county.

The Committee report that the bill be not printed, was adopted. The bill was read second time and was passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 24 put on its third reading and final pasage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read third time, and on motion of Senator Parr was passed finally.

House Bill No. 150.

The Chair laid before the Senate on second reading:

H. B. No. 150, A bill to be entitled "An Act creating and incorporating Perrin County Line Independent School District in Jack county, Texas, out of the territory now composing Perrin County Line Common School District No. 2 of said county; providing that the title to the school property be vested in such independent school district and that it assume the debt of said common school district; providing for a board of trustees for said district, defining their powers and duties, defining the boundaries of said district, and declaring an emergency."

The Committee report that the bill be not printed, was adopted. The bill was read second time and was passed to third reading.

On motion of Senator Dudley the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 150 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read the third time, and on motion of Senator Dudley was passed by the following vote:

Yeas—28.

Alderdice.	Caldwell.
Bailey.	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry	Cousins.

Dean.	Page.
Dorough.	Parr.
Dudley.	Rector.
Faust.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hertzberg.	Westbrook.
Hopkins.	Williford.
Johnston.	Witt.
McNealus.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

House Bill No. 179.

The Chair laid before the Senate on second reading:

H. B. No. 179, A bill to be entitled "An Act creating an independent school district to be known as Texline Independent School District."

The Committee report that the bill be not printed, was adopted. The bill was read second time and was passed to third reading.

On motion of Senator Dudley the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 179 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

The bill was laid before the Senate, read third time, and on motion of Senator Dudley was passed by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Hall.

Absent—Excused.

Bledsoe.

Dayton.

Adjournment.

At 6:15 o'clock p. m. the Senate on motion of Senator Clark, adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 147 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 156 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 163 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 140 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 36 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 141 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 130 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 155 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 143 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on En-

grossed. Bills have had Senate Bill No. 158 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed bills have had Senate Bill No. 91 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed bills have had Senate Bill No. 131 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Judicial District, to whom was referred

H. B. No. 117, A bill to be entitled "An Act to increase the Civil Jurisdiction of the County Court of Scurry County,"

Have had same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Dorough, Chairman; Bailey, Williford, Witt, Hall.

Committee Room,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 193, have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educa-

tional Affairs, to whom was referred Senate Bill No. 166, have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson President of the Senate.

Sir: Your Committee on Stock and Stock Raising beg to report that we have had House Bill No. 84 under consideration and recommend that it do pass and be not printed.

Clark, Chairman; Dudley, Parr, Bailey, Buchanan of Scurry.

(Floor Report.)

Senate Chamber,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

S. B. No. 165, A bill to be entitled "An Act creating a County Court of Eastland County, Texas, at law etc.,"

Have had same under consideration and report same back to the Senate with the recommendation that it do pass and be not printed.

Dorough, Chairman; Williford, Rector, Bailey, Witt.

(Floor Report.)

Senate Chamber,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

S. B. No. 167, A bill to be entitled "An Act to create and establish a court for the trial of criminal cases and offenses of a criminal nature arising within the City of Port Arthur, etc."

Have had same under consideration and report same back to the Senate with the recommendation that it do pass and be not printed.

Dorough, Chairman; Williford, Rector, Bailey, Witt.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 66 copy of which is hereto attached, and find it correctly enrolled, and have this day at 11 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Bailey.

S. B. No. 66.

A BILL
To Be Entitled

An Act to amend Article 3871, Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 158, Acts of the Regular Session of the Thirty-sixth Legislature, relating to the compensation to be paid the Assessor of taxes for assessing taxes for State, county, drainage districts, road districts, or other political subdivisions of the county, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3871, Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 158, Acts of the Regular Session of the Thirty-sixth Legislature be, and the same is, amended so as to hereafter read as follows:

Article 3871. Each assessor of taxes shall receive the following compensation for his services which shall be estimated upon the total value of the property assessed as follows: For assessing the State and County taxes: on all sums for the first two Million Dollars (\$2,000,000.00), or less, Five cents (2 1-4c) on each One Hundred Dollars (\$100.00) of property assessed; and on all sums in excess of Two Million Dollars (\$2,000,000.00), and less than Five Million Dollars (\$5,000,000.00) Two and one-fourth cents (2 1-2c) on each One Hundred Dollars (\$100.00) and on all sums in excess of Five Million Dollars (\$5,000,000.00), one and seven-tenths cents (1.7) on each one hundred dollars (\$100.00); one-half of the above fee shall be paid by the State,

and one-half by the County; for assessing the taxes in all drainage districts, road districts, or other political subdivisions of the county, the assessor shall be paid one-half of one cent for each One Hundred Dollars of the assessed values of such Districts or subdivisions; provided such compensation as is paid to the tax assessor to be prorated among the various drainage districts, road districts and other political subdivisions of the county according to the value of the property assessed in each district, or other political subdivision; and for assessing the poll tax, Five Cents (5c) for each poll which shall be paid by the State. The Commissioners' Court shall allow the assessor of taxes such sums of money to be paid monthly from the county treasury, as may be necessary to pay for clerical work, taking assessments and making out the tax rolls of the county, such sums so allowed to be deducted from the amount allowed to the assessor as compensation upon the completion of said tax rolls; provided, the amount allowed the assessor by the Commissioners' Court shall not exceed the compensation that may be due by county to him for assessing.

Section 2. The fact there is a serious defect in the law as it now exists, affecting the compensation of the assessor of taxes in each county of the State creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days be, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 33 copy of which is hereto attached, and find it correctly engrossed, and have this day at 11 o'clock a. m., presented the same to the Governor for his approval.

Smith, Chairman.

By Dudley.

S. B. No. 33.

A BILL
To Be Entitled

An Act making an appropriation for

the establishment, construction, equipment and maintenance of a wool and mohair, scouring plant, at the Agricultural Experiment Station, of the Agricultural and Mechanical College of Texas; for the scouring of representative samples of wool and mohair in order to determine their shrinkages, as protection to the Texas producers of wool and mohair in the sale of their products, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of fifteen thousand (\$15,000.00) dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to be expended during the Biennium ending August 31, 1911, for the establishment, construction, equipment and maintenance of a wool and mohair scouring plant, at the Agricultural Experiment Station, of the Agricultural and Mechanical College of Texas, for the purpose of scouring representative samples of wool and mohair for Texas sheep and Angora goat raisers, as a protection to them in the sale of wool and mohair.

Section 2. The fact that the sheep and Angora goat raisers of Texas have no accurate means of determining the shrinkage of their wool and mohair and therefore when they go to sell these raw products are at the mercy of graders representing the buyers, resulting, it is believed, in great losses to the Texas wool and mohair growers and discouragement to the wool and mohair industry of the State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 11, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11 o'clock a. m. presented the

same to the Governor for his approval.

SMITH, Chairman.

By Dudley.

S. B. No. 11.

A BILL
To be Entitled

An Act to provide for the sale, development and patenting of mineral deposits, placers, veins, lodes or any rock carrying metallic or non-metallic substances of value excepting oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, University fund, the several asylum funds, all State land belonging to or under the jurisdiction and control of the Prison Commission of this State, or the Board of Trustees for the State Institution for the Training of Juveniles and all other farms belonging to the State and administered by other boards that may have been heretofore sold or disposed of by the State with the reservation of minerals therein, or which may hereafter be sold with the reservation of minerals therein and all of said lands as were purchased with a relinquishment of the minerals therein, and all lands of which the mineral rights therein have or shall have reverted to the State of Texas and said mineral substances that may be in any islands and river beds and channels which belong to the State, repealing all laws in conflict with this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All valuable mineral bearing deposits, placers, veins, lodes and rock carrying metallic or non-metallic substances of value except oil, natural gas, coal and lignite that may be in any public free school land, University land, asylum land which has heretofore been sold with a reservation of mineral therein and all of said substances that may be in or upon said land that was purchased with the relinquishment of the mineral therein and all lands of which the mineral rights therein have reverted to the State of Texas as the Sovereign Government and all of

said substances that may be in or upon any other public land including islands and river beds and channels, which belong to the State shall be included in this Act and subject to sale as provided herein, together with such rules as the Commissioner of the General Land Office may prescribe not inconsistent with the provisions hereof.

Sec. 2. A mining claim upon mineral lands as described under Section 1 of this Act may equal, but shall not exceed 1500 feet in length and 600 feet in width. Such claims may be of unlimited depth, but shall be bounded by four vertical planes from the side and end lines. All claims shall be in the form of a parallelogram unless such form is prevented by adjoining rights and the locator shall be entitled to the use of all superficial area bounded by the enclosed lines of the claim and to all minerals therein except coal, natural gas, oil and lignite, upon the terms hereinafter provided.

Sec. 3 The locator of any mining claim as described under the preceding section of this Act shall post up at the center of one of the end lines of the claim a written notice giving the name of the locator and of the claim, and date of posting and shall describe the claim by giving the number of feet in length, width and approximate directions the claim lies in length from the notice, together with the section number, if known and the county and shall place temporary posts, or stone markers at the four approximate corners of the claim at the time of making the location. The temporary monuments shall be replaced by permanent monuments at the four corners as given by the county surveyors within one hundred days after the issue of award to said claim. These permanent monuments shall be of timber posts four inches, or equivalent, or of stone or concrete and shall be not less than three feet high. The location notice shall be posted in a conspicuous manner so that it can be easily seen. In all conflicts, priority of location shall decide. Anyone interfering with, removing or destroying any monument, post or notice of any locator shall be subject to a fine of not to exceed \$100 or 30 days in jail, either or both, and it shall be the duty of the district judges in

the respective judicial districts of Texas, to charge the grand juries with an investigation of such offenses.

Sec. 4. The locator shall within thirty days after posting the required notice, file with the county surveyor of the county in which the land or a part thereof is situated an application in writing for the survey of the claim. Such application shall be accompanied by one dollar (\$1.00) as a filing fee and the application shall be recorded by the surveyor. The application shall give the name of the claim and the locator and such description of the boundary and location as will enable the surveyor to identify the area of the land. Within one hundred days after the application has been filed with the surveyor the application and field notes for the area applied for shall be filed in the General Land Office accompanied by one dollars (\$1.00) as a filing fee. When the application has been considered and all things have been in compliance with the law, the Commissioner shall issue to the applicant an award for the area, and within one hundred days thereafter the owner shall erect the monuments provided for in Section 3. Nothing in this Section shall be construed to interfere with the right of the locator to proceed with the development and operation of the property from and after the posting of the location, provided such operation does not conflict with the mineral rights of a prior locator or owner.

Sec. 5. In making the survey, it shall be obligatory on the surveyor that he locate and mark the corners of the claim on the ground as described in the location notice and that he shall determine the direction and distance to a corner of a section on which the claim is located, that he shall also determine the direction and distance to some prominent and permanent land mark other than a section corner which may serve as a mineral monument or marker and in the event of any conflict, this direction and distance to said prominent and permanent land mark shall have priority over all other distances and directions in serving to locate the mining claim. In making a record on the field notes and plat of the survey the directions and distances here-

in required shall be incorporated in and made a part of the record. For services rendered under this Act a surveyor shall not charge exceeding ten (\$10.00) dollars per day.

Sec. 6. After the date of an award the owner shall have the exclusive right to the possession and use of the minerals within the area of the claim so long as he shall continue to do the annual assessment work or cause it to be done consisting of excavation in the form of a shaft or a tunnel or an open cut to the extent of ten feet in depth or length and at least four feet by five feet for the other dimensions for each claim. If an award shall be issued prior to the first day of October of any year the first annual assessment work shall be done before the end of that calendar year and during the month of January following, such owner shall file in the General Land Office his affidavit that such work has been done and shall state of what it consisted. Such owner of the minerals in such area shall during the next calendar year beginning January 1, next after the date of such award, perform or cause to be performed, the required annual assessment work and file an affidavit thereof as in the first instance in the General Land Office during January of each succeeding year. All the assessment work for a group of claims may be done on one claim if such claims be continuous.

Sec. 7. Said mining claim or claims may be filed upon by one or more persons as provided for herein, separately or jointly and if any mining claim of any character shall be filed upon jointly or two or more locators and any one or more then shall fail to pay his part of the annual rentals when due, or fail to contribute his proportion of any expenses or assessment work required in this Act within the required time, the co-owners paying their proportional part of said rentals, expenses and assessment work shall not be prejudiced thereby in their interest or title in said claim, but the right, interest, title and claim of such co-owner so defaulting shall ipso facto cease and terminate, and the same shall revert thereupon to the State or the fund to which it originally belonged. The co-owners so paying as required herein shall after such for-

feiture, have the prior and preference right for ninety days thereafter, to make the delinquent payments or rentals and expenses and to do the required assessment work required of said delinquent co-owners, or finish making the payment and doing said assessment work, if any had been previously done by said delinquent co-owner upon making of payment and doing said work as required herein by said co-owners within said ninety days, he or they shall have thirty days, after the expiration of said ninety days, within which to make affidavit to the Commissioner of the General Land Office to the effect that all of said provisions had been carried out and said work done within said time, and for the location thereon by said co-owners of his or their mining claim covering the interest so forfeited in the same manner as if no location had ever been made by said forfeiting owner thereon.

Sec. 8. Failure of the locator or owner of any claim or claims to comply with any provisions of this Act prior to receiving patent thereto, shall constitute an ipso facto forfeiture of all his rights in the claim, and the claim shall be open to location by others as prescribed in this Act, the same as if no location had ever been made. Any claim which shall have been forfeited by any locator or locators, owner or owners, shall not be re-located either in whole or in part by any such forfeiting locator or owner within a period of six months from time of forfeiture.

Section 9. All sales under this Act shall be upon the further condition that the applicant for the minerals in any claim shall pay the sum of fifty cents per acre, which sum shall be paid annually in advance after the award of the area and during the month of each succeeding January of each year thereafter, also upon the condition that the owner shall perform or cause to be performed the annual assessment work as provided for, and in addition thereto, pay 2 per cent royalty upon the production of such claim as shown by the net smelter, mill, mint, or refinery returns or of the sums arising from the sale of the ore or products from the claim, and received by the owner. Royalty payments aris-

ing from the sale of ores, mineral, or other products, shall be due quarterly in January, April, July and October for the quarters receding the months and shall be accompanied by affidavit of owners, showing amounts of money received during the quarter from the sale of ore or other products and accompanied by copies of smelter or mint, mill or refinery returns or other documents setting forth the amounts received by the owner. The royalties and annual payments shall be paid to the State through the Commissioner of the General Land Office at Austin. The annual payments of 50 cents per acre shall apply on the purchase price of the claim. The owner shall have the right at any time after five years from the date of award, to pay the balance due on the purchase price of the claim and obtain a patent thereto and after the issuance of the patent no further assessment work shall be required. The purchase price shall be Ten (\$10.00) Dollars per acre.

Section 9a. All State land belonging to or under the jurisdiction and control of the Prison Commission of this State, or the Board of Trustees for the State Institution for the Training of Juveniles, and all other farms belonging to the State and administered by other Boards, shall become subject to the provisions of this Act; but with the express reservation that in sales of the mineral rights in or under such farms, the annual payments and the royalties shall be made so long as the purchasers of said rights shall desire to operate their respective claims; and in no event shall a patent issue upon any claim filed upon any such farm belonging to the State, and all rights if the claimant to any land or filings hereunder, shall terminate upon permanent cessation by such claimant of operation under such claim.

Section 10. The locator or owner of a mining claim shall have the right to occupy within the limits of his claim so much of the surface ground as is strictly necessary for the use and exploitation of the mineral deposits and for the building and works necessary for mining operations and for the treating and smelting of the ore produced on such claims and to occupy within and without the limits of his claim the necessary land for right-of-way, for

ingress and egress to and from his claim, for roadways or railways; provided that if the locator or owner of the mineral right cannot agree with the owner or lessee of the surface right in regard to the requiring of same and in regard to the compensation for the injury incident to the opening and the working of such mine and the access thereto, he may apply to the judge of the county court of the county in which such mining claim is located by filing a written petition setting forth with a sufficient description the property and surface right sought to be taken and the purpose for which the same is to be taken and it shall be the duty of such County Judge of such County to appoint three disinterested freeholders to examine, pass upon and determine the damages and compensation to be paid to the owner of such surface right or other property necessary to be taken, and the proceedings for acquiring or condemning such surface right or other property shall, at all times, so far as possible, be covered by the laws relating to the condemnation of rights of way for railway companies, locator or owner of such mining claim, occupying the position of the railway company, and an appeal may be taken from the decision of the Commissioners upon the same terms and conditions and subject to the same regulations and qualifications prescribed by law for the condemnation of right-of-way for railways. Nothing in this section shall be construed as giving the prospector, or locator any grazing right or rights to any surface or well water in use for livestock or to any timber rights either on or off the claim located to the detriment of the surface owner or lessee. In case minerals are produced upon the claim or claims provided for herein, then whether same be worked as a claim or sold and patented to the purchaser thereof, said 2 per cent royalty upon the production of such claim shall be perpetual, and payable as provided for herein.

Section 11. The issuance of an award of the filing of a prospector's location on unsold land included within this Act, shall not prevent the sale of the land without minerals on which such mineral or mining claim may be located under the laws applicable to such land, but in case of such sale after an application has

been filed with the Commissioner of the Land Office as herein provided the purchaser of such land shall not be entitled to any part of the proceeds of such minerals or mining location nor other compensation, nor shall such purchaser have any action for damages done to such land by or resulting from the proper working of or operation under such award or prospector's location, should any mineral or substance within the provisions of this Act, other than those included in the permit or lease, under which one is operating be discovered while the area is being worked, for the mineral and substances embraced in such permit or lease, the owner thereof shall have a preference right for 60 (sixty) days after such discovery in which to file on the area allowed one for such minerals or other substances by complying with the provisions of this Act, relating to the mineral or substances discovered.

Section 12. If any provisions of this bill shall be held to be unconstitutional either as applied to any character of land described in Section 1 or in any other respect, such decision shall not be construed to invalidate the provision of this Act with regard to any other character of land described in Section 1 or any other provision of this Act.

Section 13. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 14. The fact that there is no adequate statute by which the mineral resources of this State can be properly developed on the public lands, and the waters of the State, creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days in each House should be suspended, and that this Act should be placed upon its third reading and final passage and take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,
Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 3, have had the same under consideration, and

report it back to the Senate with the recommendation that it do pass and be not printed.

Hertzberg Chairman; Caldwell, Cousins, Floyd.

REPORT OF JOINT COMMITTEE TO INVESTIGATE THE POLLUTION OF AUSTIN WATER SUPPLY.

Committee Room,
Austin, Texas, July 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sirs: Your Joint Committee, appointed under Senate Concurrent Resolution No. 9, to investigate the sources of pollution of the Austin water supply, and especially to what extent the State institutions are responsible for said pollution beg leave to report that we have inspected investigated, and caused to be investigated, the entire problem with considerable thoroughness, and do herewith record the results of our findings as follows:

1. That the water supply is secured from the Colorado River, through infiltration galleries located on the State sand beach, which is leased for water purposes by the City of Austin.

2. That certain drainage water, both surface and underground, reaching the said galleries, comes from a considerable section of the unsewered district of Austin, known as Clarksville, and that within the said district are found numbers of open privies.

3. That in this area is also located the State Confederate Home. All of the buildings in the Confederate Home are connected to the sewer system with the exception of two and these are provided with incinerator closets, the contents of which are burned at frequent intervals.

The waste water coming from the Confederate Home Laundry is discharged into a waterway which leads to the sand beach. We were told that all wash water used was raised to a high temperature and that a considerable amount of bleaching powder, or disinfectant was added, thereby insuring a high percentage of germ destruction. Analy-

sis of the water standing in the ditch, however, showed the presence of some B. Coli.

The garbage incinerator at the Home was possibly not used as frequently as described in the burning of refuse, old bedding, etc., which no doubt was due to the shortage of help.

4. That the grounds of the Confederate Home are over grown with weeds and are not as sanitary as desired, and the Superintendent is without funds or help to maintain them properly.

5. That the sewage from the Deaf, Dumb and Blind Institute for Colored Youths finds its way into Shoal Creek which creek empties into the Colorado River below the water supply.

6. That other agencies which may or may not add to the contamination of this water supply are:

a. The railroad companies, whose trainmen neglect to lock their toilets while passing over the tracks adjoining the supply.

b. The toilets used by the water works employes are maintained without due regard to protection of supply.

7. That past investigations have proven that the pollution of this supply is intermittent, and that chlorination of the water at all times is desirable. The City chlorinated this supply, but it is also proven that chlorination of water will only remove or destroy harmful or pathogenic organisms up to a certain limit. During the recent rains the city's supply of chlorine was exhausted and the water furnished for several days was impregnated with sewage organisms. But in this connection, it should be stated that this supply is tested daily by an experienced bacteriologist employed by the City of Austin and that contamination of the water is immediately known as soon as the same happens.

8. That the City of Austin has a splendid water filtration plant, which should always supply the city and State institutions with pure water, if the above mentioned sources of contamination are removed.

9. That there is not existant in the City of Austin an epidemic of typhoid fever, or any other disease

that could be attributed to impure water, but to the contrary, the health conditions of Austin, as compared with other cities of like population are very good.

We recommend that adequate appropriation be made by this Legislature for the following purposes:

a. To connect the Confederate Home Laundry with the sewer system the cost of which is estimated to be three thousand dollars.

b. To make sanitary and to beautify the Confederate Home grounds, the cost of which is estimated to be \$..... dollars.

c. To connect the Deaf, Dumb and Blind Institute for Colored Youths, with the Austin City sewer, the cost of which is estimated to be fifty seven hundred dollars.

It is further recommended that the Austin City officials be favored with a copy of this report, to the end that they remove as speedily as possible the causes which are responsible for this pollution, in so far as said city may be responsible.

It is further recommended that the State Health Officer continue to cooperate and advise with the Austin City officials in this matter, to the end that contaminating agencies may not in the future affect this water supply.

We beg to say that the Austin City officials are thoroughly in accord with the terms and recommendations contained in this report, and show a strong willingness and determination to begin at once to correct the conditions indicated above.

We are informed that the water supplies in a number of other Texas cities are subject to contamination, and realizing the connection between disease and contaminated water, we therefore urge the Legislature now in session to enact such legislation as will require all water companies and municipalities furnishing water, to so furnish a quality of water to their consumers which will be free from danger of contamination.

GIBSON,
BAILEY.
FAUST.

On the part of the Senate.

ROEMER.
BURNS.

MURPHY.

On the part of the House.

**SUPPLEMENTARY REPORT OF
JOINT COMMITTEE TO INVESTIGATE
THE POLLUTION OF THE AUSTIN
WATER SUPPLY.**

Senate Chamber,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Hon. R. E. Thomason, Speaker of the
House of Representatives.

Sirs: As members of your Joint Committee, appointed under Senate Concurrent Resolution No. 9, to investigate the source of pollution of the Austin water supply, and especially to what extent the State institutions are responsible for its pollution, beg leave to submit the following supplementary resolutions and reasons for same.

We do not feel that the committee report is sufficient in that it is not clear and explicit in conveying the real conditions that we found to exist in the city, therefore, we beg to submit for your consideration the following:

1. The records on file in the State Health Department show that on their last detailed inspection of the said unsewered district known as Clarksville, that there were approximately 500 families residing in that territory and out of this number, 265 maintained unsanitary closets, approximately 40 having cess-pools, and a few have no signs even of a toilet.

2. That the before mentioned district is drained by three water ways, and after each rain, much polluted matter on this territory is deposited over the filtration galleries, from which the State institutions get their water.

3. That the make-shift incinerator maintained by the City, where a certain portion of the filth, dead animals are hauled pending burning is within a stones throw of the open suction well of said supply. Said wells are open without screens, and exposed to all the impurities of the elements.

In view of the fact that a number of the State institutions and State Departments are located in Austin, which are instrumental in bringing a vast number of the citizens of the State of Texas to Austin daily, and during their sojourn here of neces-

sity drink this water, and that the inmates of these institutions, and the employes of the different departments and the entire citizenship of the City of Austin are affected by the water supply, and further the health, happiness and lives of all those who are concerned, are jeopardized as a result.

We therefore recommend that the Legislature insist upon all authorities, both city and State, having this condition remedied permanently as soon as possible.

Respectfully submitted,
BURNS.
MURPHY.

Committee Room,
Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 153, A bill to be entitled "An Act to amend Section Two (2) of Chapter 65, Acts of the Regular Session of the Thirty-sixth Legislature of the State of Texas, page 105 relating to providing aid for Rural Schools, and providing that State aid may be given to the schools of school districts in which the State of Texas owns 10 per cent of the real estate in such school district without reference to scholastic population to an amount not exceeding the amount such property would pay in school taxes to such district if owned by private persons providing that this aid shall not be extended until the district has levied the constitutional limit of local taxes and has not sufficient funds to run the school nine months in the year, and declaring an emergency,"

Have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and it be not printed, but that it be printed in the Journal.

ALDERDICE, Chairman.

By Terrell.

H. B. No. 153.

**A BILL
To Be Entitled**

An Act to amend Section Two (2) of Chapter 65, Acts of the Regular Session of the Thirty-sixth Legislature of the State of Texas, page 105 relating to providing aid for Rural Schools, and providing that

State aid may be given to the schools of school districts in which the State of Texas owns 10 per cent of the real estate in such school district without reference to scholastic population to an amount not exceeding the amount such property would pay in school taxes to such district if owned by private persons providing that this aid shall not be extended until the district as levied the Constitutional limit of local taxes and has not sufficient funds to run the school nine months in the year, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section Two (2) of Chapter 65 of the Acts of the Regular Session of the Thirty-sixth Legislature of the State of Texas, page 105, be and the same is hereby amended so as to hereafter read as follows:

Section 2. State aid under the provisions of this Act may be distributed in such a way as to assist all schools of not more than 500 scholastic enrollment to maintain the school for such length of term, not to exceed nine months as may be desired by the district board of trustees, the granting of such aid to be subject to the following conditions:

(1) A Common School District receiving this aid must not contain less than nine square miles.

(2) A Common School District or Independent School District receiving this aid must have had an average attendance the preceding year at least twenty times as many scholastics as the number of teachers employed, and must maintain during the year in which aid is received, an average attendance of at least 75 per cent of the enrollment during the time that the school is in session, unless cause for such non-attendance, satisfactory to the State Board of Education can be shown:

(3) Any Common or Independent School District receiving this aid must make such heating and ventilating arrangements, provide such sanitary closets, and keep school premises in such condition as can be approved by the Rural School Inspector sent by the State Department of Education.

(4) No Common School District or Independent School District which

refuses to conform to a plan of consolidation formulated by the County Superintendent and approved by the County Board of Trustees and by the State Superintendent, shall receive aid from this fund for any school session following the school year in which such refusal is made. School districts, in sparsely settled communities, where consolidation is impracticable, are to be excepted from this provision of this Act; provided that the decision as to whether such consolidation is not advantageous shall rest with the County Board of Trustees and shall be approved by the State Superintendent. It is expressly provided that in case of schools where compliance with the preceding conditions is impossible, or would work undue hardship, the State Superintendent shall have power, with the approval of the State Board of Education, to grant funds to such schools.

(5) No Common or Independent School District which has received aid from this fund for one scholastic year, shall be granted such aid a second time unless it shall provide for the maintenance of its schools by voting a tax for maintenance of schools of fifty cents on the hundred dollars of property valuation; in no case shall the assessed valuation for the Common School District be less than the valuation of the County Assessor; and in no case shall the assessed valuation in towns be less than the assessed valuation of town property for other purposes.

Schools of not more than 500 scholastic enrollment, complying with the foregoing conditions, shall send to the State Superintendent, on blanks provided by the State Department of Education, a list of teachers employed in the school, with a statement as to the monthly salary of each teacher, it being shown on this blank that the trustees lack sufficient funds to maintain the school for the desired length of term. The State Superintendent of Public Instruction, with the approval of the State Board of Education may then grant to the school such an amount of this fund as may be necessary to maintain the school for the desired length of term; provided that this period be not longer than nine scholastic months; and provided that such aid be not granted in excess of an amount sufficient to pay the teachers

the maximum salary permitted by State law to those holding certificates of the grades held by the teachers of the school district to which such aid is granted. Provided all school districts meeting the requirements of this Act, and not having sufficient available school funds to maintain their schools six months in the year, shall be given the preference in the distribution of this fund, until all the public schools in the State can be maintained at least six months in the year. And provided further, that school districts in which the State of Texas owns real estate in value equal to 10 per cent or more of the whole real estate values in such district, State aid may be given such school district without reference to scholastic population in an amount not to exceed the amount the owners of such real estate would pay to such school district if owned by private persons; provided that this aid shall not be extended until the district has levied the constitutional limit of local taxes and has not sufficient funds to run its school nine months in the year.

Sec. 2. The fact that the State owns land in some school districts upon which no school tax can be collected, which naturally reduces the school revenues and shortens the length of the school term, and the further fact, the time is short in which to grant the relief to the schools herein provided for, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule, which requires all bills to be read on three several days, and the said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 68, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:40 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled bills have carefully examined and compared Senate Bill No. 58, copy of which is hereto attached, and find it correctly enrolled, and have this day at 3:40 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully examined and compared Senate Bill No. 12, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:30 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dudley.

S. B. No. 12.

A BILL To Be Entitled

An Act to amend Chapter 60 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, and being an Act supplementing the Act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the Eradication of Cattle Ticks Law, so that hereafter Uvalde County and Medina County, in the State of Texas, shall be placed in Zone No. 3 instead of in Zone 2 as heretofore, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 60 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, being an Act supplementing the Act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the eradication of the Cattle Ticks Law, be so amended as that hereafter Uvalde County and Medina County, in the State of Texas, shall be placed in Zone No. 3, as defined in said Act, instead of Zone No. 2 as heretofore.

Section 2. The near approach of the close of this Special Session creates an emergency and an imperative public necessity requiring that the constitutional rule providing that bills be read on three several days be suspended, and the same is hereby suspended, and that the Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 52, copy of which is hereto attached, and find it correctly enrolled, and have this day at 3:40 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Dean.

S. B. No. 52.

A BILL
To be Entitled

An Act to amend Sections 1 and 15, of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, and adding thereto Section 17, providing for the extension of the term of said Commission from the last Saturday in June, 1920, until the last Saturday in June, 1921 for the appointment of judges for said extended term and for an appropriation to carry out the purposes of this amendment, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 and 15 of Chapter 51 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, be, and the same are hereby amended, and Section 17 is hereby added thereto; which said Section 1, 15 and 17 shall read hereafter as follows:

Section 1. That a Court, which shall be styled the Commission of Appeals of the State of Texas, to consist of six persons learned in the law, to be appointed by the Governor by and with the advice and con-

sent of the Senate, if in session, be, and the same is hereby created. The members of said Commission of Appeals of the State of Texas shall have the same qualifications as are prescribed by law for the judges of the Supreme Court of the State, and shall receive for their services the same salary, to be paid in the same manner as are the salaries of the Judges of the Supreme Court. The members of said Commission of Appeals shall, before entering upon the discharge of their duties as such, respectively take the oath of office prescribed by the Constitution.

In case of a vacancy on said Commission of Appeals by the death, resignation or removal of any member thereof, during the vacation of the Legislature, it shall be the duty of the Governor to fill the same by appointment, and the persons appointed shall continue in office until the next regular session of the Legislature after the appointment. The concurrence of two of the judges of any section shall be necessary to the decision of any question or matter referred to them.

The term for which said Commission shall exist shall be from the first Monday in October, 1918 until the last Saturday in June 1921. Provided the term of office of the judges now appointed and acting upon said Commission of Appeals shall expire on the last Saturday in June 1920, and the Governor is hereby empowered to appoint, at any time after this Act shall take effect, the judges of said Commission for the term beginning the last Saturday in June, 1920, and ending the last Saturday in June, 1921. Provided, further, that the names of the persons so appointed shall be submitted to the Senate for confirmation, if in session when such appointments are made, or if not in session then to the first session of the Senate thereafter.

Section 15. The term for which the Commission of Appeals created hereby shall exist shall be from the first Monday in October, 1918, until the last Saturday in June, 1921.

Section 17. The sum of \$56,000.00, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, for the payment of the salaries of the judges of said Commission and all other ex-

penses of executing the provisions of this Act for the period beginning on the last Saturday in June, 1920, and ending the 31st day of August, 1921.

Section 2. The fact that the present Commission of Appeals will expire by its own limitation on the last Saturday in June, 1920 and before the convening of the Thirty-seventh Legislature, and the further fact that the docket of the Supreme Court is still in a very crowded condition and will be so at the time the Commission of Appeals would expire, and the great necessity that cases pending now on the cause docket of the Supreme Court shall be disposed of as expeditiously as may be done, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read in each House on three several days, and that this Act take effect and be in force from and after its passage, and it is so enacted.

TWENTY-SECOND DAY.

Senate Chamber,
Austin, Texas,

Saturday, July 19, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Cousins.	Rector.
Strickland.	

Absent—Excused.

Bledsoe.	Gibson.
Dayton.	Parr.

Prayer by Chaplain.

Pending the reading of the Journal of yesterday, same was dispensed with on motion of Senator Faust.

Excused.

Senator Gibson was excused for yesterday, today and the remainder of this session on account of important business on motion of Senator Suiter.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Dean:

S. B. No. 169, A bill to be entitled "An Act to amend Sections 2, 7, 8, and 16 of the Polk County Road Law as passed by the Thirty-third Legislature at its regular session, and as amended by the Acts of the Thirty-third Legislature at its regular session as found on pages 77 to 79 of the Local and Special Laws of the Acts of the Thirty-third Legislature, so as to eliminate therefrom the limitation of \$1.50 per day to be paid to hands working on the roads and to eliminate therefrom the limitation of \$4.00 per day to be paid for teams working on the roads, etc., and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Buchanan of Scurry:

S. B. No. 170, A bill to be entitled "An Act creating Graford Independent School District in Palo Pinto County, Texas, defining its metes and bounds, vesting it with the rights, powers and duties and privileges of districts incorporated for school purposes only under the General Law; providing for a Board of Trustees therefor, who shall be vested with all the rights of School Trustees of Independent School Districts created under the general law; and declaring an emergency."

Read first time and referred